IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1258 of 2003 (M/B)

1. Madhav Prasad Bhatt,
   S/o Sri Amba Dutt Bhatt,
   R/o Khalangaa, Dharchula,
   Nepal.
2. Prem Bahadur Pal,
   S/o Sri Nar Bahadur Pal,
   R/o Khalanga, Dharchula,
   Nepal.
3. R.K. Gupta,
   S/o Sri Anand Prakash Gupta,
   Proprietor M/s Himalay Jadi Booti Center,
   Village Mohanpur, P.O. Tanakpur,
   District Champawat. …….. Petitioners

Versus

1. State of Uttaranchal,
   through Secretary,
   Department of Forest,
   Uttaranchal, Dehradun.
2. Chief Conservator of Forest,
   Uttaranchal, at Nainital.
3. Divisional Forest Officer,
   Pithoragarh Forest Division,
   Pithoragrah. …….. Respondents

Mr. S.K. Posti, Advocate for the petitioners.
Mr. K.P. Upadhyaya, Standing Counsel for the State of Uttaranchal.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

P.C. VERMA, J. (Oral)

1. Mr. S.K. Posti, learned counsel for the petitioners confines his grievance only to the extent of issue of transit pass after payment of transit fee.

2. As per the petitioners, they have been applying for the transit passes, but they are being harassed and they are not being issued transit passes despite the transit fee being deposited.

3. The Rules known as the U.P. Transit of Timber and Other Forest Produce Ruled, 1978 provides for permit of transit pass on payment of transit fee.

4. Therefore, it is provided that if the transit fee is deposited as per the provisions contained in the aforesaid Rules, the petitioners shall be issued transit pass in accordance with Rules within a period of one week from the date of filing the application.

5. Writ petition is disposed of accordingly.

(P.C. Verma, J.) **(Rajeev Gupta, C.J.)**
10.02.2006 **10.02.2006**

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